

REMARKS

Reconsideration of the application is respectfully requested in light of the remarks.

STATUS OF CLAIMS

Claims 3-22 are pending in the application.

Claims 13 and 14 have been amended.

CLAIM REJECTIONS- 35 USC §103

The Office Action (OA) has rejected claims 3-6, 9, 12-16, 18, 21 and 22, at pages 2-11 of the Office Action, as being unpatentable over Sheddan et al. (US Pub. 2002/0194088) in view of De Lapa et al. (US 5,822,735). Claims 13 and 14 have been amended. Applicant traverses the rejection for the reasons described below.

Sheddan et al

Sheddan et al. discloses a fundraising system that allows a user to create a coupon book and order the coupon book for a price. The coupon book is subsequently sold for fundraising. Thus, the profits or the revenues are generated at the time the coupons in the coupon book are sold by the Cause. In that regard, Sheddan et al. discloses

FIG. 2 shows a block diagram illustrating the decisions facing a user when accessing the custom coupon book system from a client 102. The user can view 202 the information stored on the server 112 and select 204 the role that the user wishes to play, that is, whether the user desires to be a participant 212 and place an order for coupon books to sell 214, to be a merchant 222 and submit a coupon for inclusion in a coupon book 224, or to be a purchaser 232 and purchase a coupon book 234 or other merchandise related to a participant. As used herein, a participant is a person or entity who wishes to obtain a quantity of coupon books for resale. For example, a school selling coupon books to raise funds is a

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participant. A merchant is a person or entity who wishes to offer a coupon to the public by having it included in a coupon book. For example, a restaurant offering a coupon good for a reduced price on a meal is a merchant. A purchaser is a member of the public who wishes to purchase either an individual coupon book or other merchandise to benefit a participant. (*Sheddan et al.*, paragraph 0024)

The OA acknowledges that Sheddan et al. fails to explicitly disclose printing a coupon with a household ID number of a selected incentive, selected by said Supporter; identifying the selected Cause via the household ID number associated said printed coupon; and generating a revenue share shared with the selected Cause and the Website, after redemption of said printed coupon wherein that portion of the revenue share generated for the selected Cause is fundraising revenue. (*See OA*, page 3) Thus, the OA relies on De Lapa for printing a coupon with a household ID number of a selected incentive. (*See OA*, page 3). The OA characterizes De Lapa as having means for identifying the selected Cause via the household ID number associated with said printed coupon. However, De Lapa does not teach that the "household ID number" is used to identify a selected Cause. In that regard, De Lapa states:

In contrast to prior coupon systems which track coupon redemptions only for the purpose of the market research and for deleting inactive members from their program, focused coupon system 15 utilizes coupon redemption history for the purpose of providing the member with coupons that are more likely to affect the purchasing decisions of the member. In particular, focused coupon system 15 is intended to induce each member to shop at the retailer participating in system 15 and to increase the total purchases from that retailer. (*De Lapa*, col. 5, lines 5-13)

The invention has many useful adaptations. For example, it may also be useful as part of a new product launch. By obtaining useful as part of a new product launch. By obtaining useful marketing data as well as a database of consumers having particular consumption habits, manufacturers may target "free" coupons

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and the like to consumers most likely to be long-term purchasers of products. Furthermore, the present coupon system may be used along with custom designed store promotion programs. For example, the consumer survey could request information regarding the favorite charity of the consumer. Particular coupons could provide donations to the specified charity if a particular product or some total of products is purchased. (*De Lapa*, col. 19, lines 64-67 and col. 20, lines 4-8)

In view of the above, De Lapa does not teach 1) a Website for fundraising by a Cause; 2) identifying the selected Cause via the household ID number associated said printed coupon; and 3) generating a revenue share shared with the selected Cause and the Website, after redemption of said printed coupon wherein that portion of the revenue share generated for the selected Cause is fundraising revenue. De Lapa only indicates a donation may be provided to a favorite charity but does not teach generating a revenue share shared with the selected Cause and the Website, as in claim 3. (Emphasis added) Moreover, there is nothing in De Lapa to suggest that the "donation" is a "fundraising revenue." Instead, the donation is used to increase revenue by a retailer and not "fundraising revenue."

Moreover, Applicant observes that De Lapa does not disclose a Website. Moreover, De Lapa does not describe an "online" session. Instead, De Lapa discloses

The consumer may also be provided with an optional survey, inquiring into the size and makeup of the household as well as the shopping preferences of the member. Focused coupon system 15 selects a plurality of coupons for each member based upon that members data and mails (18) a coupon packet. The system may distribute coupons, whose value have been provided by various manufacturers, in order to promote the products of that manufacturer. (*De Lapa*, col. 4, lines 31-36)

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The coupon I.D. and household I.D. are captured and fed back at 19A to the cyclic coupon selection and mailing function (18) in order to prepare a new selection of coupons for mailing to the member. (*De Lapa*, col. 4, lines 64-67 and col. 5, line 1)

Hence, there is nothing in *De Lapa* to teach or suggest that a Website is involved with a Cause for revenue sharing. In *De Lapa*, the retailer gives away free coupons as an incentive for customers to buy products, launch new products, and/or to build loyalty. A telemarketing group is used to collect information from a consumer. The coupons are not selected by the Supporter (Consumer). Instead, the coupons are selected by the focus coupon system based on the telemarketing survey or mailed survey. The focused coupon system 15 utilizes coupon redemption history for the purpose of providing the member with coupons that are more likely to affect the purchasing decisions of the member. (*De Lapa*, col. 5, lines 5-13). Thus, there is nothing in *De Lapa* to teach or suggest generating a revenue share shared with the selected Cause and the Website, after redemption of said printed coupon wherein that portion of the revenue share generated for the selected Cause is fundraising revenue, as in claim 3.

The examiner bears the initial burden of factually supporting any *prima facie* conclusion of obviousness. MPEP § 2142. To establish a *prima facie* case of obviousness under 35 U.S.C. § 103, two basic criteria must be met. First, the prior art references (or references when combined) must teach or suggest all the Claim limitations. Second, there is evidence that the combination of prior art references would yield a predictable result to one of ordinary skill in the art. *KSR International Co. v. Teleflex Inc.*, 127 S.Ct. 1727 (2007). Rejections on obviousness

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cannot be sustained with mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusions of obviousness. *In re Kahn*, 441 F.3d 977, 988, 78 USPQ2d 1329, 1336 (Fed. Cir. 2006).

In determining the scope and content of the prior art, Office personnel must first obtain a thorough understanding of the invention disclosed and claimed in the application under examination by reading the specification, including the claims, to understand what the applicant has invented. See MPEP § 904 (8th edition, revision 5, August 2006). The scope of the claimed invention must be clearly determined by giving the claims the "broadest reasonable interpretation consistent with the specification." See *Phillips v. AWH Corp.*, 415 F.3d 1303, 1316 (Fed. Cir. 2005) and MPEP § 2111. Ascertaining the differences between the claimed invention and the prior art requires interpreting the claim language and considering both the invention and the prior art as a whole. See MPEP §§ 2111, 2141.02

Sheddan is a system for ordering and purchasing coupon books that may be customized. The profits or the revenues are generated at the time of resale of the book. Thus, the revenue share in Sheddan is not generated after redemption of said printed coupon, as in claim 3. There is no motivation to modify Sheddan with De Lapa. First, there is no suggestion to modifying Sheddan with a household ID. Each coupon or each book is not generated by a household requiring a household ID and to match up a coupon book during resale to a particular household is generally prohibitive. Instead, the coupon book is generated to make reproduction as well as resale efficient.

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Nonetheless, in view of the all the foregoing remarks, neither Sheddan nor De Lapa teach 1) a Website for fundraising by a Cause; 2) identifying the selected Cause via the household ID number associated said printed coupon; and 3) generating a revenue share shared with the selected Cause and the Website, after redemption of said printed coupon wherein that portion of the revenue share generated for the selected Cause is fundraising revenue, as in claim 3. Hence, the combination of Sheddan and De Lapa cannot teach the claimed invention of claim 3.

For at least this reason, claim 3 patentably distinguishes and is therefore allowable over the prior art of record. Amended claim 13 contains similar language as claim 3. Thus the remarks above equally apply to claim 13 and is therefore allowable over the prior art.

Neither Sheddan nor De Lapa teach (b) printing, by said Supporter while online, at least one selected printable coupon with an indigenous tracking code having a household ID number; (c) tracking redemption activity of the printed coupon to identify the selected Cause via the household ID number; and (d) in response to step (c), generating a revenue share shared with the selected Cause and the Website wherein that portion of the revenue share generated for the selected Cause is fundraising revenue, as in amended claim 13.

Independent claims 2-6, 9, 12, 14-16, 18, 21 and 22 contain many of the same limitations as claims 3 and 13. Moreover, Applicants respectfully submit that many of the dependent claims recite features that are clearly lacking from the applied reference and, therefore, do not acquiesce to any of the prior art rejections. For example, the OA rejection explicitly states "which discusses the retailer (Website) redeeming the coupon and presenting it to the manufacturer (The Sponsor) to collect its charges for handling the transaction. (See OA page 7)

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However, in Applicant's claims (claim 3) a Website is for fundraising by a Cause and not a "retailer." While, this language is in the preamble, both the Website and the Cause are recited in the body of the claim. Hence, the Website cannot be for a retailer as in De Lapa. Furthermore, De Lapa does not teach or suggest a Website, as asserted in the OA.

Claims 7, 8 and 17

The OA has rejected claims 7, 8 and 17, at pages 12-15 of the Office Action, as being unpatentable over Sheddan et al (US Pub. 2002/0194088) in view of De Lapa et al. (US 5,822,735) and Narayan et al. (US Pub. 2002/0138348) and further in view of Humble (US 4,949,256). Applicant traverses the rejection for the reasons described below.

Claims 7, 8 and 17 depend on independent claims 1 and 13. Narayan et al. and Humble do not teach the deficiencies described above in relation to claims 1 and 13. Therefore Claims 7, 8 and 17 are therefore allowable, at least by virtue of their dependence from claims 1 and 13.

Moreover, Applicants respectfully submit that many of the dependent claims recite features that are clearly lacking from the applied reference and, therefore, do not acquiesce to any of the prior art rejections.

Claims 10 and 19

The OA has rejected claims 10 and 19, at pages 16-17 of the Office Action, as being unpatentable over Sheddan et al (US Pub. 2002/0194088) in view of De Lapa et al. (US

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5,822,735) and further in view of Hung (US 7,257,545). Applicant traverses the rejection for the reasons described below.

Claims 10 and 19 depend on independent claims 1 and 13. Hung does not teach the deficiencies described above in relation to claims 1 and 13. Therefore Claims 10 and 19 are therefore allowable, at least by virtue of their dependence from claims 1 and 13.

Moreover, Applicants respectfully submit that many of the dependent claims recite features that are clearly lacking from the applied reference and, therefore, do not acquiesce to any of the prior art rejections.

Claims 11 and 20

The OA has rejected claims 11 and 20, at pages 17-19 of the Office Action, as being unpatentable over Sheddan et al (US Pub. 2002/0194088) in view of De Lapa et al. (US 5,822,735) and further in view of Narayan et al. (US Pub. 2002/0138348). Applicant traverses the rejection for the reasons described below.

Claims 11 and 20 depend on independent claims 1 and 13. Narayan et al. does not teach the deficiencies described above in relation to claims 1 and 13. Therefore Claims 11 and 20 are therefore allowable, at least by virtue of their dependence from claims 1 and 13.

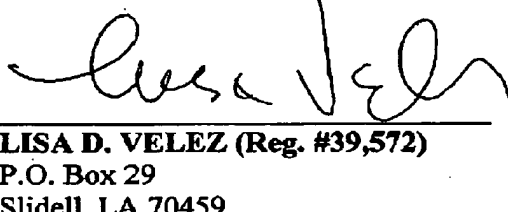
Moreover, Applicants respectfully submit that many of the dependent claims recite features that are clearly lacking from the applied reference and, therefore, do not acquiesce to any of the prior art rejections.

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CONCLUSION

Based on the above amendment and remarks, it is submitted that all of the remaining claims in the case are allowable and an early notice of the same is respectfully solicited. If the Examiner feels a telephone conference will in any way expedite the disposition of this matter, he is respectfully invited to contact this agent at (985) 781-4106.

Respectfully submitted,



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